CONSTRUCTION NOTICE

FOR THE

Mitchell Ave Pole Replacement Project
PUCO Case No. 20-0064-EL-BNR

Submitted to:

The Ohio Power Siting Board

Pursuant to O.A.C. 4906-06

Submitted by:

Duke Energy Ohio, Inc.

January 2020

CONSTRUCTION NOTICE

This Construction Notice has been prepared by Duke Energy Ohio, Inc., (hereafter "Duke Energy Ohio") in accordance with Ohio Administrative Code (O.A.C.) Section **4906-6-05** for the review of Accelerated Certificate Applications. The following sections correspond to the administrative code sections for the requirements of a Construction Notice.

4906-06-05: ACCELERATED APPLICATION REQUIREMENTS

4906-6-05(B): General Information

4906-6-05(B)(1): Name, Reference Number, Brief Description, and Construction Notice Requirement

Name of Project:

Duke Energy Ohio Mitchell Ave Pole Replacement Project (Project)

2018 LTFR Reference: The Project was not in the forecast as this was an inspection based need.

Brief Description of the Project:

Duke Energy Ohio is planning to replace five (5) deficient laminated wood structures with 5 engineered self-supporting steel poles (concrete foundations), in place on the right bank of the Mill Creek as a part of the existing F8286 and F1288 138-kilovolt (kV) transmission lines, spanning 0.36 miles. The Project is located in the City of Cincinnati, Hamilton County, Ohio, within an existing Duke Energy Ohio easement.

Construction Notice Requirement:

This Project qualifies as a Construction Notice filing because it meets the requirements outlined in O.A.C. 4906-6-05, Appendix A, item (1)(a). Item (1)(a) allows the filing of a Construction Notice for "*Adding new circuits on existing structures designed for multiple circuit use, replacing conductors on existing structures with larger or bundled conductors, adding structures to an existing transmission line, or replacing structures with a different type of structure, for a distance of: (a) Line(s) Two miles or less.*"

4906-6-05(B)(2): Need for the Project

The five (5) laminated wood structures on Duke's F8283 transmission line are deteriorating. The existing F8286 and F1288 lines provides 138-kV electric transmission service to residential and commercial/industrial facilities. Due to the increased customer load growth in Hamilton County, circuits may not be able to reliably operate if the F8286 and F1288 lines were to be damaged from a failing structure. The Mitchell Ave Pole Replacement Project is to replace five (5) failing laminated wood strucutres on the right bank of the Mill Creek on the F8286 and F1288 circuits and to eliminate the risk associated with structure failure.

4906-6-05(B)(3): Location of the Project Relative to Existing or Proposed Lines

The location of the Project is depicted in Attachment A – Project Details. Figure 1 shows the general Project vicinity depicted on a USGS quadrangle topographic map. Figure 2 depicts the planned transmission line location, compared to existing transmission lines in the Project vicinity and additional details depicted on an aerial imagery map.

4906-6-05(B)(4): Alternatives Considered

The proposed Project will occur within Duke Energy Ohio property (Parcel ID: 022300020002) and the Mill Creek Conservancy District (Parcel ID: 022300020028), within an existing Duke Energy Easement and permitted right of way (ROW). No additional long-term impacts to adjacent properties are anticipated as the structures planned to be rebuilt are to be installed in approximately the same location as existing structures. Therefore, the proposed configuration is the only reasonable alternative available and no alternatives were considered.

4906-6-05(B)(5): Public Information Program

Since the Project is located within an existing Duke Energy easement, property owners within 500-feet of project centerline will be notified by mail prior to the initiation of any construction. Further information on the ongoing status of this Project and other Duke Energy Ohio Projects can be found at the following website: https://www.duke-energy.com/our-company/about-us/electric-transmission-projects.

4906-6-05(B)(6): Construction Schedule

The installation of the new structures and transfer of the transmission line work on the Project is scheduled to start during a planned outage on September 28, 2020. Work is scheduled to be completed during the 19 day outage, with structure foundations being poured 60 days in advance.

4906-6-05(B)(7): Area Map

Attachment A – Project Details - depicts the general location of the Project. Figure 1, shows the general Project vicinity depicted on a United States Geological Survey (USGS) quadrangle topographic map. Figure 2, shows the planned transmission line location and additional details depicted on an aerial imagery map.

4906-6-05(B)(8): Property Owner List

The Project is located entirely within property owned by Duke Energy Ohio (Parcel Number 022300020002) and the Mill Creek Conservancy District (Parcel Number 022300020028). No new easements have been obtained for this Project.

4906-6-05(B)(9): Technical Features of the Project

The Project involves the installation of approximately 1,900 feet (0.36 miles) of 138-kV single circuit, electrical transmission line. The work will involve the replacement of five (5) laminated wood poles with steel engineered poles in an existing Duke Energy Ohio

easement, on the right bank of the Mill Creek, in the city of Cincinnait, Hamilton County, Ohio. Structure locations are shown on Figure 2 in Attachment A.

4906-6-05(B)(9)(a): Operating Characteristics

Voltage:	138-kV
Structure Type:	Five (5) new overhead engineered steel structures with foundations
Conductors:	approximately 1300' of 954ACSR 138-kV conductor on circuit F8286 and 600' on circuit F1288
Static Wire:	Static Wire: AC99/669-27 OPGW (circuit F8286 only)
Insulators:	138-kV glass suspension (both F8286 and F1288 circuits)
ROW Land Requirements:	Property owned entirely by Duke Energy Ohio and Mill Creek Conservancy

4906-6-05(B)(9)(b): Electric and Magnetic Fields

There are no occupied residences or institutions within one hundred feet of the proposed lines in this Project. Therefore, this section is not applicable.

4906-6-05(B)(9)(c): Estimated Cost

The approximate cost for the proposed Project is approximately $1,212,500.

4906-6-05(B)(10): Social and Ecological Impacts

4906-6-05(B)(10)(a): Land Uses

The Project is located in the city of Cincinnati, within Hamilton County, Ohio. The City of Cincinnati, which covers 77.94 square miles, contains a population of 296,943 people based on the 2010 census data. The land use immediately surrounding the Project area is predominantly commercial and industrial uses.

4906-6-05(B)(10)(b): Agricultural Land

Due to the Project being entirely on Duke Energy Ohio Property in an urban setting, no agricultural lands will be impacted.

4906-6-05(B)(10)(c): Archaeological or Cultural Resources

The Ohio History Connection, Ohio's Historic Preservation Office (OHPO) online mapping system, was consulted to identify previously recorded cultural resources within 1 mile of the Project Area (the Study Area). The OHPO records check indicates the following National Register-eligible or listed resources within a 0.5 mile buffer of the Study Area; two (2) historic structures, one (1) recorded archaeological site, one (1) listed historic district, and one (1) historic cemetery. Additional National Register-eligible or listed resources were found between the 0.5-mile buffer and the 1.0-mile buffer, but are not

anticipated to be impacted based on the scope of work. None of the National Register-eligible or listed resources are located within the Project Area footprint. There are no previously recorded surveys mapped within the one-mile buffer of the Project Area.

As planned, the Project does not trigger a Federal Nexus, requiring further coordination with the OHPO, as there are no impacts to wetlands or streams that would require Federal permitting.

Given that the Project involves the removal of existing structures and the installation of new structures requiring relatively little to no ground disturbance within existing Duke Energy Ohio ROW, it does not appear that impacts to significant cultural resources will occur as a result of the Project. The minimal impacts associated with the Project do not warrant additional cultural resource surveys based on the proposed scope of work.

4906-6-05(B)(10)(d): Local, State, and Federal Requirements

As the Project is expected to disturb less than one acre, a National Pollutant Discharge Elimination System (NPDES) Construction Site General Permit from the Ohio Environmental Protection Agency (Ohio EPA) for the Project is not required.

No other local, state or federal permit or other authorizations are required for the Project.

4906-6-05(B)(10)(e): Endangered, Threatened, and Rare Species Investigation

Coordination with the U.S. Fish and Wildlife Service (USFWS) was initiated on June 26, 2018, in an effort to identify the Project's potential effect on any federally listed threatened or endangered species or critical habitat within a one-mile radius of the Study Area. A response from USFWS was received July 15, 2019, regarding RTE species located within the Study Area vicinity. The response from USFWS indicated no federally listed endangered, threatened, or candidate species, or their habitats, exist within the Project site or vicinity. A copy of the USFWS response can be found in Attachment B – Rare, Threatened, and Endangered Species Correspondence and is summarized below.

All projects in the State of Ohio lie within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). In Ohio, presence of the Indiana bat and northern long-eared bat is assumed wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. It is recommended by USFWS that any clearing of trees should occur between October 1 and March 31 in order to avoid incidental taking of these species. Any tree clearing will occur within this seasonal clearing timeframe, thus it is anticipated that there will be no adverse effect to these bat species. No tree clearing is anticipated for this Project.

Also, the proposed Project lies within the range of running buffalo clover (*Trifolium stoloniferum*), a federally listed endangered species. A known population of running buffalo clover occurs in close proximity to the proposed Project Area [see Attachment B – ODNR response]. If suitable habitat is present within the project site, it is recommended by USFWS that surveys for this species be conducted by a trained botanist in May or June

when the plant is in flower. GAI did not note any suitable habitat during field review as noted in Section 4906-6-05(B)(10)(f).

According to USFWS, due to the Project type, size, and location, there are no anticipated adverse effects to federally endangered, threatened, or candidate species.

Additionally, a request was submitted to the Ohio Department of Natural Resources (ODNR) Environmental Review Program on June 26, 2019, in an effort to identify the Project's potential effect on any state-listed threatened or endangered species or critical habitat within the vicinity of the Study Area. A response from ODNR – Division of Wildlife (DOW) was received on August 12, 2019. This response can be found in Attachment B – Rare, Threatened, and Endangered Species Correspondence and is summarized below.

The ODNR-DOW noted the potential presence of the state-endangered Indiana bat (*Myotis sodalis*) and recommended the same seasonal tree clearing timeframe as the USFWS. ODNR-DOW also indicated that the Project is within the range of thirteen (13) state endangered and three (3) state threatened mussel species as well as five (5) state endangered and six (6) state threatened fish species. Due to the fact that there is no in-water work proposed in a perennial stream, this Project is not going to impact these species. ODNR-DOW also indicated that the Project is within range of one (1) state threatened reptile, one (1) state endangered amphibian, and two (2) state endangered bird species. Due to the potential impacts to federally and state listed species, ODNR DOW recommended that this Project be coordinated with the USFWS.

ODNR indicated that there is a known occurrence of running buffalo clover within the area of the project. Based on field conditions, GAI noted that there was no suitable habitat within our study area. As stated above, USFWS anticipates no adverse effects to federally endangered, threatened, or candidate species

Due to the location, the type of habitat present at the Project site and within the vicinity of the Project area, and the type of work proposed, this Project is not likely to impact these federally and state listed threatened and/or endangered species.

4906-6-05(B)(10)(f): Areas of Ecological Concern

As a part of the investigation, GAI also conducted an investigation for areas of ecological concern. As a part of GAI's investigation, a request was submitted to the ODNR Natural Heritage Program on June 26, 2019, to research the presence of any unique ecological sites, geological features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forest, national wildlife refuges, or other protected areas within one-mile of the Project Area, using the ODNR Natural Heritage Database.

A response from the ODNR – Office of Real Estate was received on August 12, 2019, indicated that there are three (3) unique ecological sites, geological features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forests, national wildlife refuges, and/or other protected areas within one-mile of the Project Area, but are not anticipated to be affected. These unique ecological sites can be found in Attachment B – Rare, Threatened, and Endangered Species Correspondence.

As a part of the field investigation and ecological assessment, GAI conducted a Regulated Waters Assessment of the Project Area. GAI's investigation included approximately a 0.36-mile by 100-foot-wide Study Area, centered on the proposed centerline, access roads, and additional workspace areas. During the investigation, GAI identified one likely jurisdictional perennial stream (Mill Creek [HUC 050902030104]) within the Project's Study Area. No impacts to regulated waters or RTE habitat are anticipated by the Project. Results from GAI's field investigation can be found in Attachment C – Regulated Waters Assessment.

A review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) revealed that the Project Area does not lie within a 100-year floodplain and/or floodway. There are no proposed structures to be constructed within a regulatory floodway.

4906-6-05(B)(10)(g): Other Information

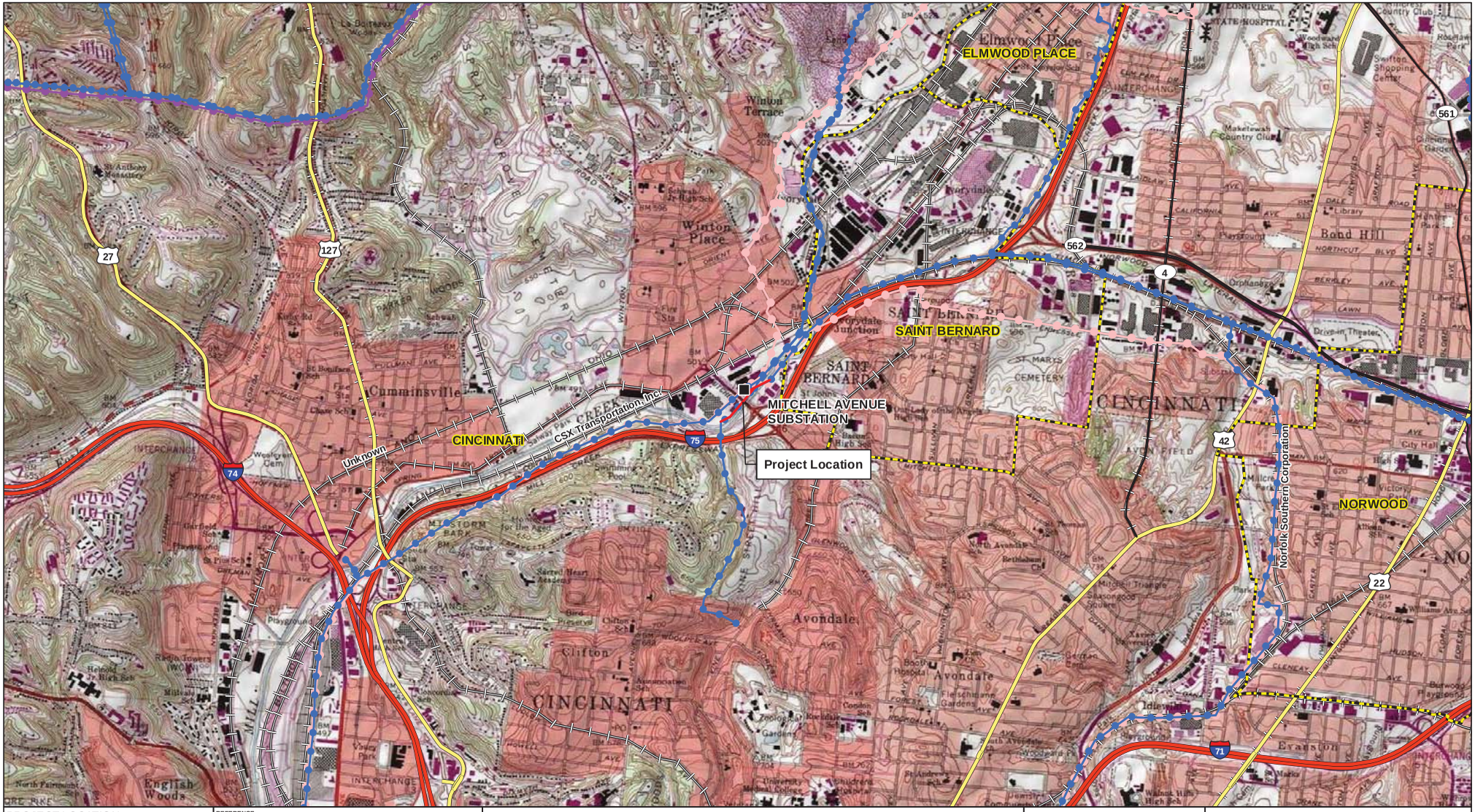
To the best of Duke Energy Ohio's knowledge, no unusual conditions exist that would result in environmental, social, health, or safety impacts. Construction and operation of the proposed Project will meet all applicable safety standards established by the Occupational Safety and Health Administration (OSHA) and will be in accordance with the requirements specified in the latest revision of the National Electrical Safety Code (NESC), as adopted by the Public Utilities Commission of Ohio.

4906-6-07: SERVICE AND PUBLIC DISTRIBUTION OF ACCELERATED CERTIFICATE APPLICATIONS

Copies of this Construction Notice have been sent to officals in the city of Cincinnati, and Hamilton County, and to the Hamilton County Public Library. Duke Energy will maintain on its website information on how to request an electronic or paper copy of the application. Proof of compliance will be filed with the board within seven days of filing the accelerated application.

ATTACHMENT A

Project Details



PROJECT LOCATION

HAMILTON COUNTY, OH

REFERENCE:
TOPOGRAPHIC MAP:
- Esri's USA Topo Map, Accessed: 1/9/2020.

INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.

INTERSTATE AND HIGHWAY:
- Esri's U.S. Major Roads, 5/10/2018.

RAILWAY:
- Ohio Department of Transportation's Railroads, 9/11/2018.

PROJECT DETAILS:
- Duke Energy.

- Interstate Highway
- US Highway
- State Highway
- Railway
- Incorporated Area
- Existing Facility
- Route Centerline
- Existing 69 kV Transmission Line
- Existing 138 kV Transmission Line
- Existing 345 kV Transmission Line

DUKE ENERGY.

gai consultants

0 1,000 2,000 Feet

1 in = 2,000 feet

FIGURE 1
PROJECT LOCATION

Ohio Power Siting Board Construction Notice

SHEET 1 of 1

Mitchell Avenue Pole Replacement Project

DRAWN BY: PPD
CHECKED: TDB

DATE: 1/9/2020
APPROVED: MRW

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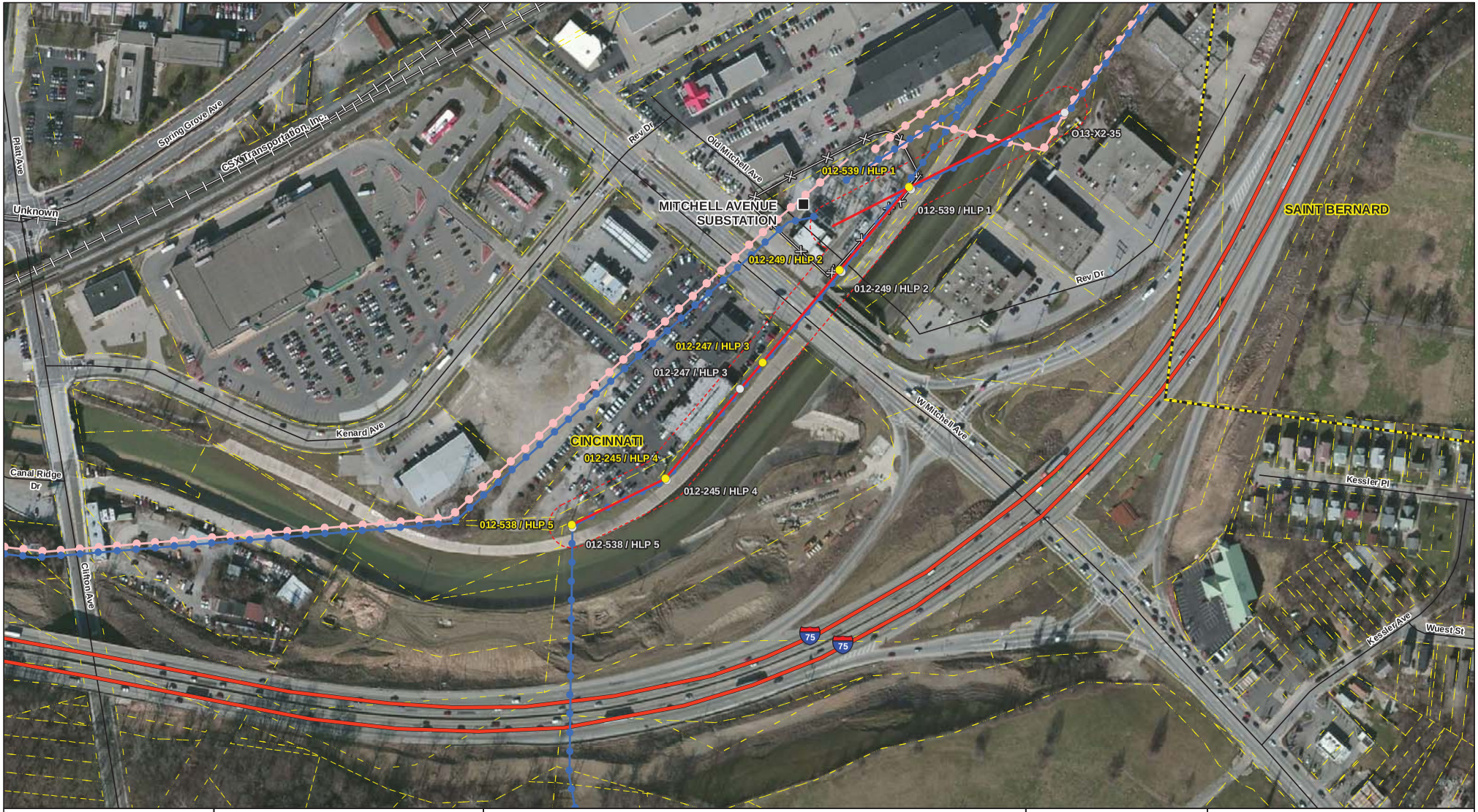

PROJECT LOCATION

HAMILTON COUNTY, OH

REFERENCE:
AERIAL PHOTOGRAPH:
- Esri's World Imagery 2018, Accessed: 1/9/2020

INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.

INTERSTATE:
- Esri's U.S. Major Roads, 5/10/2018.

LOCAL ROAD:
- United States Census Bureau's TIGER/Line Shapefiles, 1/1/2015.

RAILWAY:
- Ohio Department of Transportation's Railroads, 9/11/2018.

PARCEL BOUNDARY:
- Downloaded from Cincinnati Area Geographic Information System (CAGIS) FTP, 7/09/2019.

DELINEATED FEATURE:
- GAI Consultants.

PROJECT DETAILS:
- Duke Energy.

- Interstate Highway
- Local Road
- Railway
- Incorporated Area
- Planned Structure
- Existing Structure
- Existing Facility
- Route Centerline
- Fence
- Approximate Right-of-Way
- Parcel Boundary
- Existing 69 kV Transmission Line
- Existing 138 kV Transmission Line

DUKE ENERGY.

gai consultants

0 100 200 Feet

1 in = 200 feet

FIGURE 2
PROJECT LAYOUT

Ohio Power Siting Board Construction Notice

SHEET 1 of 1

Mitchell Avenue Pole Replacement Project

DRAWN BY: PPD DATE: 1/9/2020
CHECKED: TDB APPROVED: MRW

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ATTACHMENT B

Rare, Threatened, and Endangered Species Correspondence

Ohio Department of Natural Resources
MIKE DEWINE, GOVERNOR MARY MERTZ, DIRECTOR

Office of Real Estate
Paul R. Baldridge, Chief
2045 Morse Road – Bldg. E-2
Columbus, OH 43229
Phone: (614) 265-6649
Fax: (614) 267-4764

August 9, 2019

Bradley Rolfes
GAI Consultants Inc.
11 Spiral Drive, Suite 8
Florence, Kentucky, 41042

Re: 19-575; Duke Energy F8286 Mitchell Avenue GLT

Project: The proposed Project involves the installation of 5 laminated wood pole structures with engineered steel, spanning 0.2-mi of 138kV transmission line to replace 5 poles, in danger of failing.

Location: The proposed project is located in the City of Cincinnati, Hamilton County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Natural Heritage Database: The Natural Heritage Database has the following records at or within a one-mile radius of the project area:

Black-crowned night-heron (*Nycticorax nycticorax*), State threatened
Mill Creek Conservancy – Mill Creek Conservancy
Mt. Storm Park – City of Cincinnati Parks

The review was performed on the project area you specified in your request as well as an additional one-mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that best management practices be utilized to minimize erosion and sedimentation.

The project is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees to include: shagbark hickory (*Carya ovata*), shellbark hickory (*Carya laciniosa*), bitternut hickory (*Carya cordiformis*), black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), white ash (*Fraxinus americana*), shingle oak (*Quercus imbricaria*), northern red oak (*Quercus rubra*), slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), eastern cottonwood (*Populus deltoides*), silver maple (*Acer saccharinum*), sassafras (*Sassafras albidum*), post oak (*Quercus stellata*), and white oak (*Quercus alba*). Indiana bat roost trees consists of trees that include dead and dying trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. However, Indiana bats are also dependent on the forest structure surrounding roost trees. If suitable habitat occurs within the project area, the DOW recommends trees be conserved. If suitable habitat occurs within the project area and trees must be cut, the DOW recommends cutting occur between October 1 and March 31. If suitable trees must be cut during the summer months, the DOW recommends a net survey be conducted between June 1 and August 15, prior to any cutting. Net surveys should incorporate either nine net nights per square 0.5 kilometer of project area, or four net nights per kilometer for linear projects. If no tree removal is proposed, this project is not likely to impact this species.

The project is within the range of the sheepnose (*Plethobasus cyphyus*), a state endangered and federally endangered mussel, the fanshell (*Cyprogenia stegaria*), a state endangered and federally endangered mussel, the pink mucket (*Lampsilis orbiculata*), a state endangered and federally endangered mussel, the rayed bean (*Villosa fabalis*), a state endangered and federally endangered mussel, the snuffbox (*Epioblasma triquetra*), a state endangered and federally endangered mussel, the ebonyshell (*Fusconaia ebena*), a state endangered mussel, the long-solid (*Fusconaia maculata maculata*), a state endangered mussel, the butterfly (*Ellipsaria lineolata*), a state endangered mussel, the washboard (*Megalonaias nervosa*), a state endangered mussel, the elephant-ear (*Elliptio crassidens crassidens*), a state endangered mussel, the Ohio pigtoe (*Pleurobema cordatum*), a state endangered mussel, the monkeyface (*Quadrula metanevra*), a state endangered mussel, the wartyback (*Quadrula nodulata*), a state endangered mussel, the black sandshell (*Ligumia recta*), a state threatened mussel, the fawnsfoot (*Truncilla donaciformis*), a state threatened mussel, and the threehorn wartyback (*Obliquaria reflexa*), a state threatened mussel. Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the shortnose gar (*Lepisosteus platostomus*), a state endangered fish, the shoal chub (*Macrhybopsis hyostoma*), a state endangered fish, the shovelnose sturgeon (*Scaphirhynchus platorynchus*), a state endangered fish, the lake sturgeon (*Acipenser fulvescens*), a state endangered fish, the northern madtom (*Noturus stigmosus*), a state endangered fish, the bigeye shiner (*Notropis boops*) a state threatened fish, the mountain madtom (*Noturus eleutherus*), a state threatened fish, the river darter (*Percina shumardi*) a state threatened fish, the channel darter (*Percina copelandi*), a state threatened fish, the blue sucker (*Cycleptus elongatus*), a state threatened fish, and the paddlefish (*Polyodon spathula*) a state threatened fish. . Due to the location, and that there is no in-water work proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the Kirtland's snake (*Clonophis kirtlandii*), a state threatened species. This secretive species prefers wet meadows and other wetlands. Due to the location, the type of habitat present at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the cave salamander (*Eurycea lucifuga*), a state endangered species. Due to the location, the type of habitat present at the project site and within the vicinity of the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the American bittern (*Botaurus lentiginosus*), a state endangered bird. Nesting bitterns prefer large undisturbed wetlands that have scattered small pools amongst dense vegetation. They occasionally occupy bogs, large wet meadows, and dense shrubby swamps. Due to the location, the type of habitat present at the project site, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the lark sparrow (*Chondestes grammacus*), a state endangered bird. This sparrow nests in grassland habitats with scattered shrub layers, disturbed open areas, as well as patches of bare soil. In the Oak Openings area west of Toledo, lark sparrows occupy open grass and shrubby fields along sandy beach ridges. These summer residents normally migrate out of Ohio shortly after their young fledge or leave the nest. Due to the location, the type of habitat present at the project site, and the type of work proposed, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the U.S. Fish & Wildlife Service.

Natural Areas: The Division of Natural Areas and Preserves has the following comment.

One rare plant species, running buffalo clover (*Trifolium stoloniferum*), federally endangered, has been found in close proximity to the proposed Mitchell Avenue project. Due to the possible disruption of this species, it is recommended that a pre-construction survey of the proposed project site be conducted to ensure that the plant is not impacted. If there are any questions about Ohio flora or if survey assistance is required, please contact the Division of Natural Areas and Preserves' Chief Botanist, Rick Gardner. Mr. Gardner can be contacted directly at richard.gardner@dnr.state.oh.us or 614-265-6419.

Water Resources: The Division of Water Resources has the following comment.

The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below.

http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community%20Contact%20List_8_16.pdf

ODNR appreciates the opportunity to provide these comments. Please contact Sarah Tebbe, Environmental Specialist, at (614) 265-6397 or Sarah.Tebbe@dnr.state.oh.us if you have questions about these comments or need additional information.

John Kessler
Environmental Services Administrator

Bradley Rolfes

From: susan_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>
Sent: Monday, July 15, 2019 1:00 PM
To: Bradley Rolfes
Subject: Duke Energy F8286 Mitchell Ave. GLT Project, Hamilton County

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL E-MAIL MESSAGE

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service
Ecological Services Office
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / Fax (614) 416-8994

TAILS# 03E15000-2019-TA-1553

Dear Mr. Rolfes,

We have received your recent correspondence requesting information about the subject proposal. There are no Federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area.

FEDERALLY LISTED, PROPOSED, AND CANDIDATE SPECIES COMMENTS: Due to the project, type, size, and location, we do not anticipate adverse effects to federally endangered, threatened, proposed, or candidate species. Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the U.S. Fish and Wildlife Service should be initiated to assess any potential impacts.

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or ohio@fws.gov.

Sincerely,

Patrice M. Ashfield
Field Office Supervisor

ATTACHMENT C

Regulated Waters Assessment

gai consultants

Northern Kentucky Office
11 Spiral Drive
Suite 8
Florence, KY 41042

T 859.647.6647
F 859.647.6685

October 22, 2019

GAI Project No. D190656.00

Mr. Dustin Giesler
Permitting Specialist
Duke Energy
139 East 4th Street
Cincinnati, OH 45202

Regulated Waters Assessment
Mitchell Ave Pole Replacement Project
Duke Energy Project No. M19002301
Hamilton County, Ohio

Dear Mr. Giesler:

This report presents the findings of the regulated waters assessment and identifies the resulting anticipated regulatory permitting compliance requirements for the Mitchell Ave Pole Replacement Project (Project), located in Hamilton County, Ohio **(Appendix A, Figure 1)**. This field survey effort was done in support of due diligence as required for a Construction Notice (CN), submitted to The Ohio Power Sitting Board (OPSB). Results from the regulated waters field survey are summarized below:

Project Summary

The Project will require the replacement five (5) deficient laminated wood pole structures with 5 engineered steel poles (3 concrete foundation, 2 direct embed), on the right bank of the Mill Creek as a part of the existing F8286 138-kilovolt (kV) transmission line, spanning 0.20 miles. **(Appendix A, Figure 2)**. Photos of the Project area can be found in **Appendix B**.

Work Summary

A remote environmental screening review followed by an on-site field survey was completed by GAI Consultants Inc. (GAI) on June 25, 2019 in order to evaluate potential regulated waters impacts associated with the Project. These investigations were limited to an approximate 100-foot-wide review corridor of the proposed transmission line and associated structure locations.

During the field survey, it was determined that all areas of the existing right-of-way (ROW) are accessible by construction equipment without grade improvements and are all located within an existing Duke Energy easement, on Duke Energy and Mill Creek Conservancy property.

Environmental Survey Results

National Wetland Inventory (NWI)

The United States Fish and Wildlife Service's (USFWS) National Wetland Inventory (NWI) maps were reviewed for potential wetland locations within the Project area. The NWI maps were prepared from high altitude photography and, in most cases, were not field verified. As a result, wetlands are sometimes erroneously identified, missed, or misidentified within this data set. The presence of an NWI wetland does not necessarily constitute the presence of a wetland meeting USACE criteria. The NWI map of the

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area identified one NWI feature in the Project Area. The NWI classification crossed by the Project Area is Riverine Lower Perennial Unconsolidated Bottom Permanently Flooded (R2UBH).

100-Year Floodplain and Floodway

A review of the Federal Emergent Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) revealed that the Project Area is not located within a mapped 100-year floodplain and/or floodway (see Figure 2).

Wetlands

No likely jurisdictional wetlands were identified within the Project Area.

Waterbodies

One (1) likely jurisdictional perennial stream (Mill Creek) was identified within the Project Area (HUC 050902030104). Additionally, non-jurisdictional drainage features were identified, consisting of stormwater runoff from the adjacent parking lot. These upland drainage features do not have an ordinary high-water mark (OHWM), lack hydrophytic vegetation, hydric soils, or other characteristics of a potentially regulated water. These upland drainage features flow to the east, into the Mill Creek, through man-made channelized drainages from the adjacent parking lot (see Figure 2). Details of the identified likely jurisdictional stream can be found in **Table 1**.

It is GAI's opinion that construction activities as a result of this this Project will not affect any regulated waters and no additional permitting will be required.

Sincerely,

GAI Consultants, Inc.

Brad Rolfes
Environmental Specialist

Attachments: Appendix A- Tables
Appendix B- Figures
Appendix C- Photos

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APPENDIX A
Tables

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Table 1.

Waterbodies Identified Within the Project Area

Feature Designation[1]	Latitude[2]	Longitude[2]	Name	Type	OHWM Width (feet)	OHWM Depth (feet)	BFW (feet)	BFD (feet)	TOB Width (feet)	TOB Depth (feet)	Length Within Project Area[3] (feet)	Ohio or Federal Special Listing[4,5,6,7]	Open Ended
Stream-001	39.163924	-84.510609	Mill Creek	Perennial	90	5	100	10	150	35	1,172	WWH	Yes

Notes:

[1]GAI map designation.

[2]Decimal degrees; Coordinates provided in NAD 83.

[3]Extent of stream or open water within Project Area. Stream or open water may extend beyond these limits if noted as open ended.

[4]USACE Navigable Streams in Ohio Listing (Section 10 Waters) Huntington District.

[5]OEPA Aquatic Life Use Designation of Exceptional Warmwater Habitat (EWH), Cold Water Habitat (CWH), Warmwater Habitat (WWH), Seasonal Salmonid Habitat (SSH), or any equivalent per OAC 3745-1-30.

[6]OEPA Antidegradation Category of Superior High-Quality Water, Outstanding National Resource Water, or Outstanding State Water.

[7]ODNR Listing of State Wild and Scenic Rivers.

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APPENDIX B
Figures

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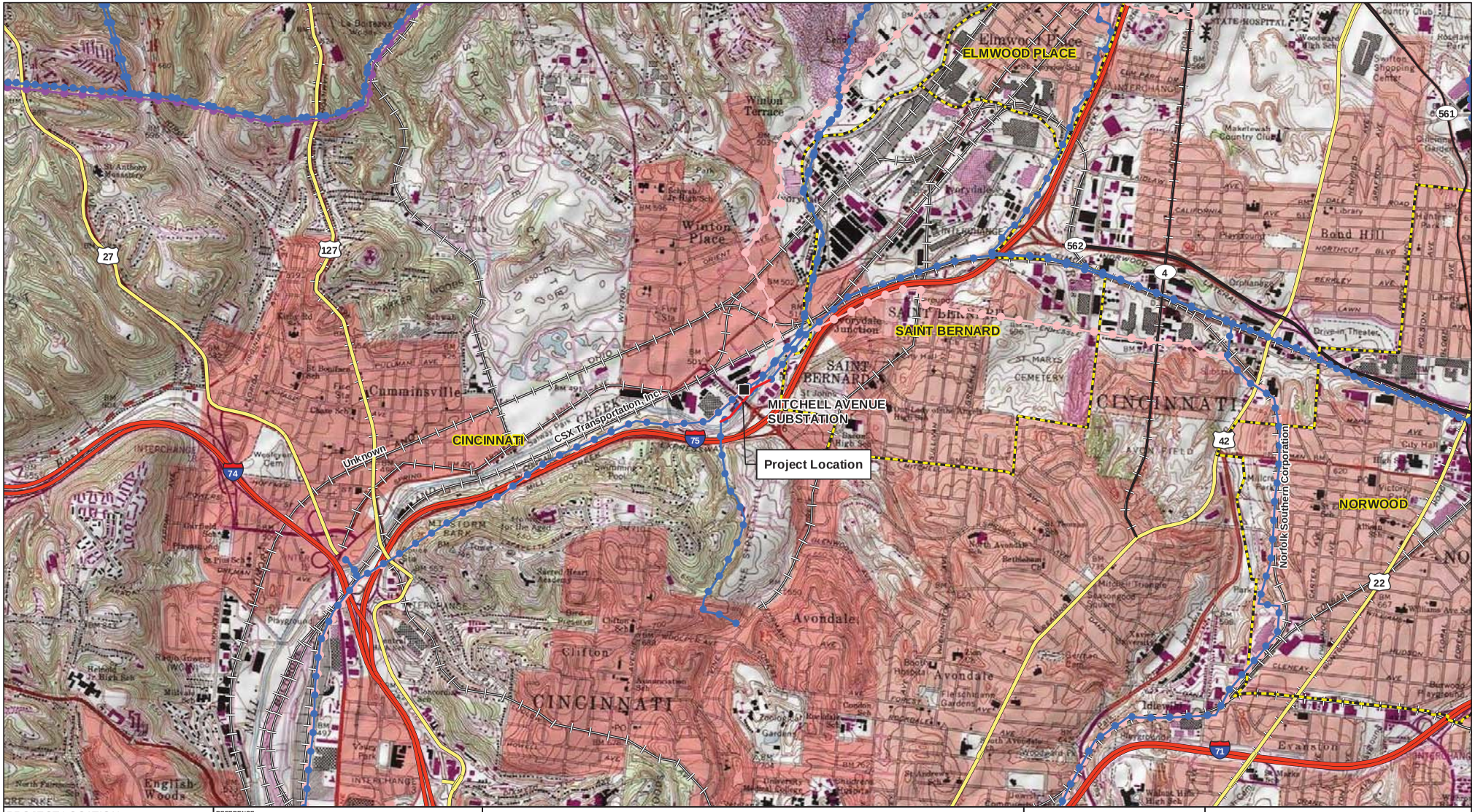

PROJECT LOCATION

HAMILTON COUNTY, OH

REFERENCE:
TOPOGRAPHIC MAP:
- Esri's USA Topo Map, Accessed: 1/9/2020.

INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.

INTERSTATE AND HIGHWAY:
- Esri's U.S. Major Roads, 5/10/2018.

RAILWAY:
- Ohio Department of Transportation's Railroads, 9/11/2018.

PROJECT DETAILS:
- Duke Energy.

- Interstate Highway
- US Highway
- State Highway
- Railway
- Incorporated Area
- Existing Facility
- Route Centerline
- Existing 69 kV Transmission Line
- Existing 138 kV Transmission Line
- Existing 345 kV Transmission Line

DUKE ENERGY.

gai consultants

0 1,000 2,000 Feet

1 in = 2,000 feet

FIGURE 1
PROJECT LOCATION

Ohio Power Siting Board Regulated Waters Assessment Report

SHEET 1 of 1

Mitchell Avenue Pole Replacement Project

DRAWN BY: PPD DATE: 1/9/2020
CHECKED: TDB APPROVED: MRW

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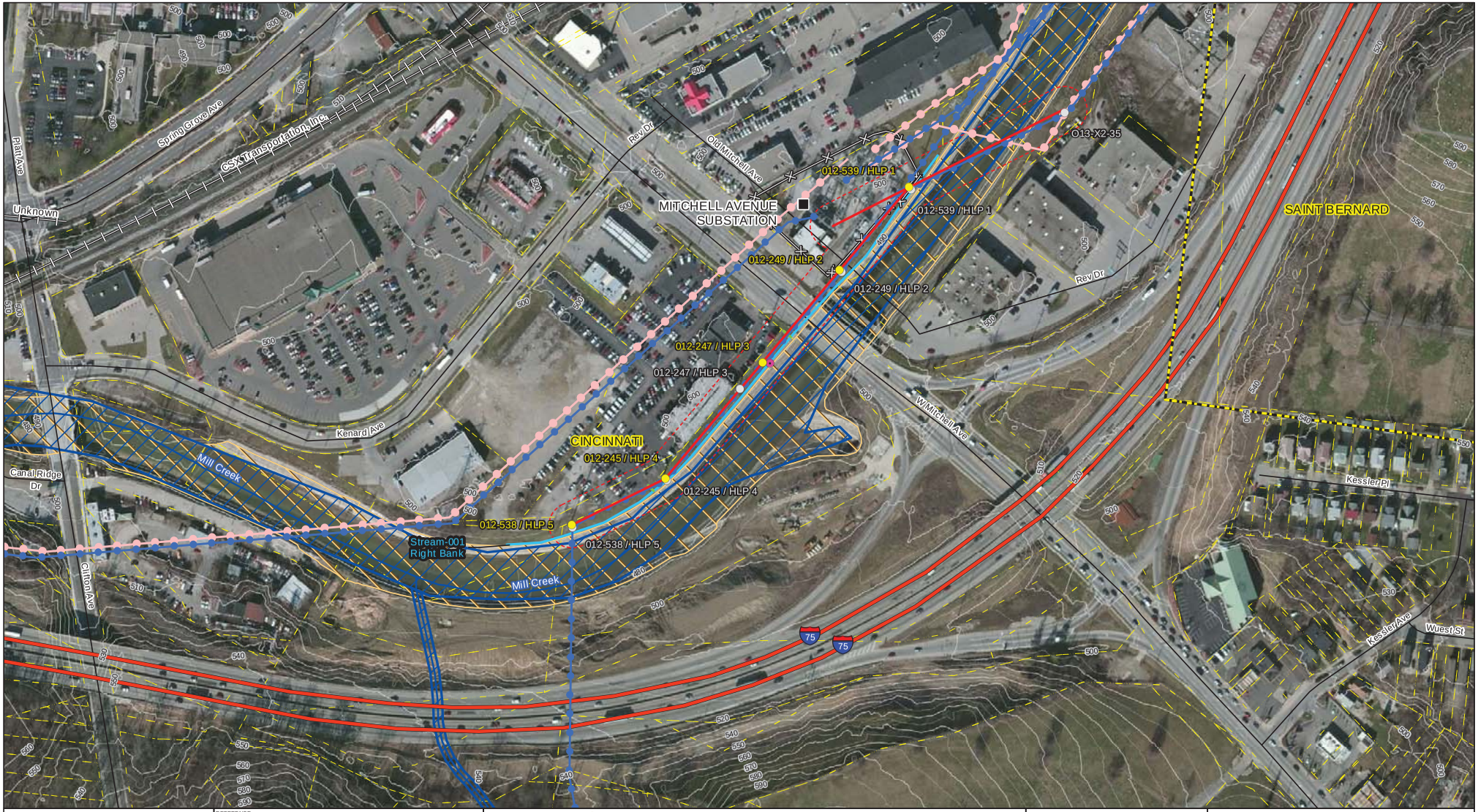

PROJECT LOCATION

HAMILTON COUNTY, OH

REFERENCE:
AERIAL PHOTOGRAPH:
- Esri's World Imagery 2018, Accessed: 1/9/2020
INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.
INTERSTATE:
- Esri's U.S. Major Roads, 5/10/2018.
LOCAL ROAD:
- United States Census Bureau's TIGER/Line Shapefiles, 1/1/2015.
RAILWAY:
- Ohio Department of Transportation's Railroads, 9/11/2018.
NHD FLOWLINE:
- United States Geological Survey's National Hydrography Dataset Best Resolution, 1/01/2018.
NWI WETLAND:
- United States Fish and Wildlife Service's National Wetland Inventory, 10/15/2018.
FLOODPLAIN AND FLOODWAY:
- Federal Emergency Management Agency's National Flood Hazard Layer, 12/01/2018.
PARCEL BOUNDARY:
- Downloaded from Cincinnati Area Geographic Information System (CAGIS) FTP, 7/09/2019.
5-FOOT CONTOUR:
- Ohio Geographically Referenced Information Program (OGRIP), Hamilton County, 2008.
DELINEATED FEATURE:
- GAI Consultants.
PROJECT DETAILS:
- Duke Energy.

- Interstate Highway
- Local Road
- Railway
- Incorporated Area
- Planned Structure
- Existing Structure
- Existing Facility
- Existing Culvert End
- Surface Drainage
- Delineated Stream
- Route Centerline
- Fence
- Approximate Right-of-Way
- Existing 69 kV Transmission Line
- Existing 138 kV Transmission Line
- NHD Flowline
- NWI Wetland
- 100-Year Floodplain
- Floodway
- Parcel Boundary
- 5-Foot Contour

DUKE ENERGY.

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0 100 200 Feet

1 in = 200 feet

FIGURE 2
PROJECT LAYOUT

Ohio Power Siting Board Regulated Waters Assessment Report

SHEET 1 of 1

Mitchell Avenue Pole Replacement Project

DRAWN BY: PPD DATE: 1/9/2020
CHECKED: TDB APPROVED: MRW

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APPENDIX C
Photos

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Photographs

Photograph 1. Location of STR HLP 5. Looking North. (June 25, 2019)

Photograph 2. Location of STR HLP 4. Looking North. (June 25, 2019)

Photograph 3. Location of STR HLP 3. Looking North. (June 25, 2019)

Photograph 4. Location of STR HLP 2 and HLP 1, beyond Mitchell Avenue. Looking North. (June 25, 2019)

Photograph 5. STR HLP 2 and HLP 1, East of Mitchell Ave. Substation. Looking North. (June 25, 2019)

Photograph 6. Location of STR HLP 2. Looking North. (June 25, 2019)

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Photograph 7: Location of STR HLP 1. Looking North. (June 25, 2019)

Photograph 8: Entrance to Duke Energy Mitchell Ave. Substation. Looking North. (June 25, 2019)

Photograph 9: Stream-001 (Mill Creek). Looking Upstream. Facing Northeast. (June 25, 2019)

Photograph 10: Stream-001 (Mill Creek). Looking Downstream. Facing Southeast. (June 25, 2019)

Photograph 11: Surface drainage line from parking lot of Ford dealership. North of STR HLP 3. Facing East. (June 25, 2019)

Photograph 12: Culvert on right bank of Stream-001 (Mill Creek). Facing East. (June 25, 2019)

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Photograph 13: Stream-001 (Mill Creek) cross section. Facing East. (June 25, 2019)

Photograph 14: Gas line within existing ROW. Facing Southeast. (June 25, 2019)

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